REMARKS

Reconsideration of this Application, and the rejections of claims 1-17, 19-20, 22 and 26-41 is respectfully requested. Applicant has attempted to address every ground for rejection in the Office Action dated November 8, 2011 and believes this long pending Application (filed over 7 years ago) is in condition for allowance.

Claims 1, 13, 14, 20, 22, 26, 29 and 30 are rejected under 35 U.S.C. 103(a) as unpatentable over Dailey et al (US 6,363,352) in view of Bruno et al (US 5,784,561). Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Gupta et al. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as unpatentable over Dailey, Bruno and Gupta and further in view of Semaan (US 5,680,392). Claims 6, 9 and 10 are rejected under 35 U.S.C. 103(a) as unpatentable over Dailey, Bruno and Gupta and further in view of Gorsuch (US 5,680,392) and Etorre (US 6,594,265). Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Gorsuch and Etorre and further in view of Gupta. Claim 12 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Gorsuch and Semaan and further in view of Gupta and Semaan. Claims 15-17 and 38 are rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view Semaan. Claim 19 is rejected under 35 U.S.C.(a) as unpatentable over Dailey and Bruno and further in view of Gorsuch. Claim 27 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Haimes (US 2003/0105820). Claim 28 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Blinken (US 4,796,293) and

Official Notice. Claim 39 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Blinken. Claims 11 and 40 rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Hales (US 6,288,739). Claims 41 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey and Bruno and further in view of Gupta, Seman and Hales Claims 31, 32, 34, 35 and 36 are rejected under rejected under 35 U.S.C. 103(a) as unpatentable over Dailey in view of Bruno and Hales. Claim 33 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey, Bruno and Hales and further in view of Semaan. Claim 37 is rejected under 35 U.S.C. 103(a) as unpatentable over Dailey in view of Hales. However, it is submitted that these references in combination, fail to teach, suggest, or disclose subject matter recited in independent claims 1, 31 and 37 as well as several independent claims. These rejections are therefore traversed.

A. INDEPENDENT CLAIMS 1 AND 31 ARE ALLOWABLE BECAUSE DAILEY DOES NOT TEACH NETWORK RESOURCES INCLUDING AT LEAST ONE IP ADDRESS AND AT LEAST ONE PORT FOR A NETWORK INTERFACE CONNECTED TO THE NETWORK.

Independent claims 1 and 31 recites step of "said network resources including at least one IP address and at least one port for a network interface connected to the network for connecting said plurality of attendees for communication with one another during the meeting." The Office Action cites Dailey col. 6, lines 56-60 to teach this feature. This section of Dailey teaches subject matter related to connecting an input device to a computer, and more specifically states:

> A user may enter commands and information into the personal computer 120 through input devices such as a keyboard 140 and pointing device 142. Other input devices (not shown) may include a microphone, joystick, game pad, satellite dish, scanner, or the like. These and other input devices are

> often connected to the processing unit 121 through a serial port interface 146 that is coupled to the system bus, but may be connected by other interfaces, such as a parallel port, game port or a universal serial bus (USB).

Dailey col. 6, lines 56-60

This section of Dailey as best understood discloses a serial port interface 146 for attaching an input device such as a keyboard to a system bus of a PC, but clearly does not teach said **network resources including at least one IP address and at least one port** for a network interface connected to the network. Therefore, the rejection of claims 1 and 31 are respectfully traversed for this reason.

B. INDEPENDENT CLAIM 37 IS ALLOWABLE BECAUSE HALES DOES NOT TEACH OR SUGGEST DETERMINING WHAT BANDWIDTH IS AVAILABLE OVER A SHARED LINKAGE FOR EACH ATTENDEE OF DIFFERENT MEETINGS

Claim 37 recites "determining whether any of said linkages are shared linkages that are shared by attendees of different of said at least a first and second meetings that are occurring at least partially concurrently with one another, and if they are shared linkages determining what bandwidth is available over said shared linkage for each of said attendees of different meetings." The Office Action cites Hales col. 10, lines 34-35, 53-54 and fig 3 to teach this feature. These sections of Hales states "[i]n either case, a conference request is generated and accepted" and "creation or destruction of the processing cells 18, 26 as needed to handle the changing data streams." It does not teach or suggest determining what bandwidth is available over said shared linkage for each of said attendees of different meetings. Therefore, claim 37 is allowable.

C. CLAIMS 20 AND 26 ARE ALLOWABLE BECAUSE DAILEY FAILS TO DISCLOSE STORING AT LEAST ONE NETWORK INTERFACE IN A MEETING FILE

Claims 20 and 26 recite, among other things, storing said at least one network interface address in said meeting file. The Office Action cites Daily col. 3, lines 37-42 and fig. 5 #1442 to teach this feature. However, fig. 5 #1442 refers to the path of an "Office Document" on a local computer. Since a network interface address and a local path for a meeting file are not the same thing, clarification is requested.

D. CLAIMS 2 AND 3 ARE ALLOWABLE BECAUSE GUPTA FAILS TO DISCLOSE STEPS REQUIRED TO DETERMINE A BANDWIDTH REQUIRED

Claim 2 recites "determining a required bandwidth for the meeting and storing said request in said meeting file." The Office Action cites Gupta col.1, p1230 to teach this feature. This section of Gupta states "they allocate network resources (e.g. bandwidth...when determining their resource requirements where resources include bandwidth." This section of Gupta does not teach or suggest determining **a required bandwidth for the meeting** and **storing said request in said meeting file** as recited in claim 2. Instead, the cited section of Gupta is a general statement in an introduction paragraph that states schemes exist for allocating network resources.

Claim 3 goes on to recite that "said plurality of meeting attendees will be streaming a plurality of real time data streams to the meeting, and wherein the method further includes the step of determining the bandwidth required for each of said plurality of real time data streams." The Office Action again cites Gupta col.1, p1230 to teach the step of determining the bandwidth required for each of said plurality of real time data

streams as recited in claim 3. As explained above, Gupta does not teach or suggest this feature. Therefore, 2 and 3 are allowable.

E. CLAIM 4 IS ALLOWABLE BECAUSE SEMAAN FAILS TO DISCLOSE STEPS REQUIRED TO DETERMINING A TOTAL BANDWIDTH REQUIRED – THE PRESENT OFFICE ACTION ADOPTS A DIFFERENT POSITION THAN PREVIOUS OFFICE ACTIONS

Claim 4 recites, among other things, including the step of "determining the total bandwidth required for the virtual meeting by summing the bandwidth required for each of said plurality of real time data streams from each of said plurality of attendees." The Office Action cites Semaan col. 8, lines 65 – col. 9, line 28 to teach this feature. This section of Semaan states, among other things, that a "conference quality parameter....specifies the video and audio qualities (bandwidth) ***desired***." **As previously discussed extensively in the Appeal Brief (filed April, 2009) and conceded in the August 15, 2009 Office Action on page 4, item 4(c) and the November 8, 2010 Office Action on page 2-3 item (b), Semaan does not teach determining required bandwidth.** The above sections of Semaan relate to reserving network resources for a conference and a quality parameter that includes ***desired*** bandwidth (as opposed to determining total ***required*** bandwidth for the meeting as recited). Semaan teaches a different system where video quality may be constrained by the standard being used, as well as local resources of the conferees network capacity. Col. 9, lines 12-15. As such, Semaan fails to teach the recited step of claim 4.

Again, the present position is opposite to the position of previous Office Actions. Specifically, this point regarding Seeman was conceded in the August 15, 2009

Office Action on page 4, item 4(c) and the November 8, 2010 Office Action on page 2-3 item (b), It is unfortunate that positions appear to have changed back and forth without any explanation or reasoning. It is respectfully submitted that such practices make the prosecution of this application unduly costly and time consuming, and that this has at least partially contributed to the 7 year pendency of this application. Clarification is required – does the Examiner take the position regarding Seeman made in the present Office Action or the opposite that was conceded in the above referenced previous Office Actions?

F. CLAIM 6 IS ALLOWABLE BECAUSE ETORRE DOES NOT TEACH STEPS RELATED TO DETERMINING THE TOTAL BANDWIDTH AVAILABLE USING ADDITIONAL UNRELATED TRAFFIC

Claim 6 includes the steps of determining the total bandwidth available to communicate with each of said plurality of attendees through consideration of whether additional traffic unrelated to the virtual meeting will be carried over a linkage connecting said each of said plurality of attendees to the virtual meeting. In the Office Action, Etorre col. 25, lines 19-28 is cited to teach this feature. The cited section of Etorre mentions "appendix I of ATM Forum Traffic Management Specifications Version 4.0" – it does not teach or suggest using additional traffic unrelated to the virtual meeting for determining a total bandwidth. Claim 6 is respectfully traversed for this reason.

G. CLAIM 7 IS ALLOWABLE BECAUSE GUPTA DOES NOT TEACH DETERMINING WHETHER A SECOND VIRTUAL MEETING MAY CONSUME BANDWIDTH RESOURCES

Claim 7 recites wherein the step of determining the total bandwidth to communicate with each of said plurality of attendees includes determining whether a second virtual meeting may consume bandwidth resources of said attendee, and wherein said first and second meetings are different from one another. The Office Action cites Gupta p. 1231, fig 1 to teach this feature. This section teaches a 3-user **single** Conference Example where there is an intermediate node or router between users. All users are attending the **same** conference. Conversely, claim 7 recites the first and second meetings are **different** from one another.

H. CLAIMS 12 AND 41 ARE ALLOWABLE BECAUSE GUPTA DOES NOT TEACH DIRECTING ANY ATTENDEES THAT DO NOT HAVE SUFFICIENT BANDWIDTH AVAILABLE TO LINK TO A SUBSET OF SAID PLURALITY OF DATA STREAMS BEING COMMUNICATED THROUGH THE MEETING

Claims 12 and 41 recite "directing any attendees that do not have sufficient bandwidth available to link to a subset of said plurality of data streams being communicated during the meeting." The Office Action cites Gupta p. 1231, col. 2 bullet 3 to teach this feature. As a preliminary matter, there is no "bullet" 3 in col. 2 on p. 1231– clarification is requested. Furthermore, there is nothing in Gupta that teaches directing any attendees that do not have sufficient bandwidth available to link to a subset of said plurality of data streams. As such, claims 12 and 41 should be allowable or Applicant requests Examiner to cite the specific section of Gupta.

I. CLAIMS 11, 31 AND 40 ARE ALLOWABLE BECAUSE HALES FAILS TO TEACH LIMITING A MEETING TO ONLY THOSE HAVING SUFFICIENT BANDWIDTH

Claims 11, 31 and 40 recite limiting said meeting attendees to only those having sufficient bandwidth to participate in said meeting. The Office Action cites Hales col. 16, lines 30-38 and 51-53 to teach this feature. These sections of Hales state:

> 3. there are a number of reasons why node A 56 may not be able to conference; it may be off-line, it may not have the application enabled, it may be set by its user in do-not-disturb (DND) state, the user may be busy, may not be available to answer the call or may not wish to answer the call. In all of these cases, the connection acceptance validation fails as indicated by a block 84 and the user of node N 62 is notified as indicated by a block 86 that the conference will not take place;

col. 16, lines 30-38

> 5. Node A 56 passes the addresses as indicated by a block 90 that it will use on the data transmission layer 14 through the messaging layer 16 to node N 62;

col. 16, lines 51-53

While this section does state that "there are a number of reasons why node A 56 may not be able to conference," none of those reasons disclose or suggest the recitation of claims 11, 31 and 40 (**having sufficient bandwidth to participate** in said meeting). Bandwidth is not disclosed in either of these sections of Hale. As such, the rejection of claims Claim 11, 31 and 40 is respectively traversed.

J. ALL DEPENDANT CLAIMS ARE ALSO ALLOWABLE

In addition to the reasons stated above, Applicant also traverses the rejection of all dependant claims since these claims are dependant from allowable independent claims.

K. CONCLUSION

For the reasons explained above, it is submitted that the claims in their current form are allowable. The claims are allowable for at least the following reasons:

A. INDEPENDENT CLAIMS 1 AND 31 ARE ALLOWABLE BECAUSE DAILEY DOES NOT TEACH NETWORK RESOURCES INCLUDING AT LEAST ONE IP ADDRESS AND AT LEAST ONE PORT FOR A NETWORK INTERFACE CONNECTED TO THE NETWORK.

B. INDEPENDENT CLAIM 37 IS ALLOWABLE BECAUSE HALES DOES NOT TEACH OR SUGGEST DETERMINING WHAT BANDWIDTH IS AVAILABLE OVER A SHARED LINKAGE FOR EACH ATTENDEE OF DIFFERENT MEETINGS

C. CLAIMS 20 AND 26 ARE ALLOWABLE BECAUSE DAILEY FAILS TO DISCLOSE STORING AT LEAST ONE NETWORK INTERFACE IN A MEETING FILE

D. CLAIMS 2 AND 3 ARE ALLOWABLE BECAUSE GUPTA FAILS TO DISCLOSE STEPS REQUIRED TO DETERMINE A BANDWIDTH REQUIRED

E. CLAIM 4 IS ALLOWABLE BECAUSE SEMAAN FAILS TO DISCLOSE STEPS REQUIRED TO DETERMINING A TOTAL BANDWIDTH REQUIRED – THE PRESENT OFFICE ACTION ADOPTS A DIFFERENT POSITION THAN PREVIOUS OFFICE ACTIONS

F. CLAIM 6 IS ALLOWABLE BECAUSE ETORRE DOES NOT TEACH STEPS RELATED TO DETERMINING THE TOTAL BANDWIDTH AVAILABLE USING ADDITIONAL UNRELATED TRAFFIC

G. CLAIM 7 IS ALLOWABLE BECAUSE GUPTA DOES NOT TEACH DETERMINING WHETHER A SECOND VIRTUAL MEETING MAY CONSUME BANDWIDTH RESOURCES

H. CLAIMS 12 AND 41 ARE ALLOWABLE BECAUSE GUPTA DOES NOT TEACH DIRECTING ANY ATTENDEES THAT DO NOT HAVE SUFFICIENT BANDWIDTH AVAILABLE TO LINK

TO A SUBSET OF SAID PLURALITY OF DATA STREAMS BEING COMMUNICATED THROUGH THE MEETING

I. CLAIMS 11, 31 AND 40 ARE ALLOWABLE BECAUSE HALES FAILS TO TEACH LIMITING A MEETING TO ONLY THOSE HAVING SUFFICIENT BANDWIDTH

If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely, it is hereby petitioned under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.

The Commissioner is hereby authorized to charge fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

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